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**IN THE UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

RAYMON JONES,

Plaintiff,

v.

UNITED STATES OF AMERICA

Defendant.

Case No. C-08-05218-RS

STIPULATION TO DISMISS AND ~~PROPOSED~~ ORDER

It is hereby stipulated by and between plaintiff Raymon Jones and defendant United States of America, through their undersigned counsel, that this matter be dismissed with prejudice, each party to bear its own costs and attorneys' fees.

JOSEPH P. RUSSONIELLO
 United States Attorney

/s/
 JONATHAN M. KAPLAN
 Attorney for Plaintiff
 Raymon Jones

/s/
 BLAKE D. STAMM
 Assistant United States Attorney
 Tax Division
 Attorneys for Defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 10/19/09


 THE HONORABLE RICHARD SELBORG
 UNITED STATES MAGISTRATE JUDGE